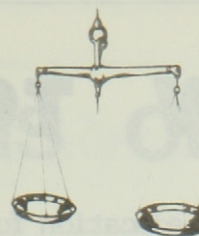


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Quid Novi



VOL. II NO. 12

MCGILL UNIVERSITY FACULTY OF LAW

NOVEMBER 26, 1981

Brierley says some profs may leave

BY PETER DAUPHINEE

A small group of students assembled in the Moot Court last Friday morning to hear Dean Brierley and Mr. Renshaw deliver depressing messages about the effects of budget cuts on the Faculty and the library.

The essence of Dean Brierley's speech was that although students will see the Law programme "trimmed around the edges", no drastic changes are in sight at present. As budget officer in charge of the operating budget of the Faculty, it will be up to Dean Brierley to determine where the cuts will be felt.

Brierley discussed the effects of cutbacks under the headings of curriculum and staffing. The Faculty offers 80-85 courses each year and the Dean expects to be able to save most of the program. Savings have already been made by eliminating the use of teaching assistants in first year courses, reducing the number of sections where there are 3 or more in a course, offering fewer possibilities to take courses in French, and occasionally cutting certain lectures which attracted small numbers of students.

Further examples of such reductions will be seen in the future as the impact of cutbacks continues. However, the Dean stressed that he places a high priority on maintaining electives. He suggested certain positive steps he will be taking to save money without cutting course offerings. Currently since electives are offered every second year, Brierley envisages placing more electives on this basis but

would want to see a more sophisticated 2 year plan for elective courses. Having electives offered only in alternate years is inconvenient to students; but with a proper 2 year plan perhaps they would be able to take most of the courses they wished.

Brierley also pointed out that the curriculum committee is in the middle of an overall review of the Faculty's complicated curriculum. The goal is to review the credit allocation of each course, amalgamate courses where possible and ensure there is no duplication of course material.

Brierley's grimmest remarks concerned the impact of cuts on staffing. Salaries account for 73% of the budget. The Dean stressed that University teachers have always known, and will continue to know, that they will never be paid as much by a university as they could command from another employer. All the university can do is attempt to approximate outside possibilities. Nonetheless, the bottom line is that the current cutbacks will have an impact on salaries - and "that may cause some teachers to leave. That will just have to be faced." Brierley indicated that he had only
(Continued page 6)

SYMPOSIUM ON BAR SCHOOL

BY LESLEY CAMERON

Last Thursday, law students from UQAM, Université de Montréal, Laval, Université de Sherbrooke and McGill congregated in the Moot Court for the Symposium on "The Future of Bar School". The event bore a certain resemblance to a 'gathering of the clan', but whether for the birth, marriage or funeral of faculty autonomy is still not clear.

The Symposium, chaired by Marek Nitoslowski, V.P. (Civil), was part of the Law Undergraduate Society's program to inform students and stimulate discussion of the Avis (opinion) prepared by the Office des professions which proposes that the post-University supplementary

conditions required by the professional corporations for admission to the profession be abolished. The Symposium organisers had arranged for speakers from all the major parties concerned, but Maître Michel Robert of the Quebec Bar did not attend. Consequently, the presentations were rather one-sided.

M. André Desgagné, President of l'Office des professions, described the Avis as an analysis of the function of supplementary conditions rather than a critique of the present professional programmes within the Universities. However, he said that if the purpose of Bar School was to plug holes in the practical side of the basic training, then the University courses
(Continued page 8)

Cutbacks: HOW TO FUND ELITES

BY RICHARD JANDA

Prior to last Friday's demonstration and march which brought together 700 students in protest against cutbacks, the LUS organized a workshop to discuss the issue. A disappointing turnout of twenty-five was made up for in the range of vocal opinion expressed.

The object of the session, which followed presentations by the Dean and Mr Renshaw, was to canvass the opinion of McGill law students in order to draft an open letter to the Québec government on the issue of cutbacks. Points for discussion were set out in advance, but it rapidly became evident that there was no uniformity of presuppositions and thus that there would be no clear conclusions on these points.

The first point for discussion was the inclusion of a statement to the effect that the signatories of the letter were not in principle opposed to government cutbacks. From the outset, Alan Alexandroff's letter to *Quid Novi* (November 19th issue) figured prominently in the discussion. Readers of the letter cautioned that there was a need to place cutbacks in education within the wider context of the overall policy of cutbacks, especially in the health care sector. Given the fact of such a policy, some felt it prudent to accept the policy but attempt a specific justification of funding of education. Others quickly reacted against a "blind acceptance of Reaganomics" and argued, indeed, that a declaration against a policy of restraint was in order. Over on the other side of the spectrum, others argued that the individual who reaped the benefits of an education should be required to pay for it.

This discussion rapidly evolved into a discussion over whether there was a "right to education" and to what extent one could claim that there was such a right to legal education. On the one hand, it was suggested that one could not claim such a right existed in the case of higher education inasmuch

as this was education for an elite. The elite, it was argued, should pay for its privilege. On the other hand, it was argued that the question was precisely that of accessibility to the elite. To keep the elite accessible, one had to keep higher education, especially Law Schools, accessible. This implied some form of subsidized education.

Among other participants in the discussion, Prof. Grey suggested that drastic cuts in the supply of money for education would ensure that Law Schools, and other institutions, would become completely elite and "monastic". His prognosis was that such a change need not take a long time to occur given present policies.

The underlying fear seemed to be that governments, in Québec and elsewhere, were moving from socialized education toward technocratic education. Prof. Wade drew attention to the fact that a decision seems to have been taken that CEGEPs are as much liberal education as can be afforded. If society accepts the principle that equal access to higher education is desirable and hence government funding of higher education is needed, it also accepts the priorities set by the funder. The avis of the Office des professions, he suggested, was just one more small indication that a specialized, technically oriented education, was the priority of the funder. Such an education, after all, met market demands of utility.

From such considerations the discussion turned to a critique of government spending priorities. Ted Claxton noted that one could make a catalogue of government misappropriations such as \$120,000 spent for a fountain in Québec House in Paris, money spent drilling for oil in Québec contrary to reasonable geological information, millions for an Olympic Stadium roof, and so on, in order to demonstrate that funds can be drawn from elsewhere to pay for the higher priority—education. Increasing tuition fees, he noted, would only decrease

the level of government grants in like measure under the present scheme. Part of the problem in the government's analysis of education spending, he suggested, was that some of the structures it had imposed were now getting in the way. Tuition fee ceilings and unionization of professors were cited as examples.

Furthermore, the government had inappropriately applied "micro-economic theory" to the administration of universities in coming to the conclusion that, like other sectors, education could afford to be more "productive". An academic institution is not a place for churning out evaluated students. The argument of the government that the same service could be provided on less money was based on a misunderstanding of the nature of academic "productivity".

The government was called upon to apply the same standard of thorough justification of spending which it applies to those receiving its money to the process of cutting monies. It seemed to some that the most politically expedient areas were chosen for cutting without proper regard to consequences.

LUS President Campbell Stuart will be writing out a letter based on Friday's discussion. It will be presented to this week's LUS Council meeting for approval.

NOTICE FOR POTENTIAL GRADUATE STUDENTS

The Canadian Association of Law Teachers has produced a *Directory of Canadian Graduate Programmes in Law*, and as chairman of the Faculty's Graduate Studies Committee I have become a custodian of this 125 page document. A copy is also available in the library. It provides a great deal of very practical information on pursuing graduate studies within Canada. I will be happy to lend it to anyone interested and to discuss graduate programmes.

Patrick Glenn

Confusion reigns on exam posting

BY DANNY GOGK

L.U.S. Council will now go ahead and seek to establish a more personalized method of distributing exam marks. In a meeting of the Council called last Nov. 17 primarily to reconsider its previous vote which narrowly decided against distribution by envelope, Council this time voted marginally in favour of such a policy.

On Nov. 11, the Council had decided by a 10-9 vote (with 3 abstentions) not to pursue a policy in which exam marks would be available in envelopes at the S.A.O. The new procedure would require approximately an extra 10 days to prepare the marks for distribution. The proposal was rejected on the grounds that this delay made it impractical and unfeasible and that the whole procedure would merely move the scene of pandemonium from the basement to the S.A.O.

After this meeting in which the motion met its narrow defeat, contentions were made that some of the

abstentions had been due to an atmosphere of confusion that had surrounded the vote, and that those who had abstained would have voted for the proposal had they fully understood the issues. Hence, a meeting to reconsider the decision was called.

Despite stern objections to the proposal to reconsider -- since there were fewer councillors in attendance than had voted on the original motion, and since the conventional three days notice of motion had not been given -- the Council voted by one vote to reopen the debate on the question. It soon became clear that the Council this time likely had the numbers to overturn the previous 6 day-old decision.

Thus, the main motion, "Be it moved that the Associate Dean be requested to make exam marks available to students by letter and not by posting them publicly" was back on the floor for debate.

After an amendment calling for General Assembly ratification was

defeated, and after an abortive attempt to table the motion until this week when the Council would have new information as to the exact length of the delay period, the main motion was carried by a vote of 9 to 6, with 6 abstentions.

With the precariousness of this vote in mind, Council then considered whether there existed the exigency that this 9 to 6 vote be ratified by the students. Council then passed two motions, one requiring such ratification and the other scheduling the General Assembly meeting for January 7, 1982.

Although an element of bewilderment remained in the air at the end of the meeting concerning the exact consequences of the evening's scrambling from motion to motion, it was agreed that Council was now going ahead with the new proposal, and should General Assembly on January 7 not choose to continue the policy, they would be voting to return to the former pell-mell procedure of public posting.

BASKETBALL TEAM WINS FIRST GAME

BY LYNN BAILEY

The Women's Law Basketball Team, under the guidance of Prof. Rod (optimistic) MacDonald finished the fall season with a spectacular 21-20 win over the "Pick-ups" on Monday night. The leading scorers were Tannis McLaren and Christina Tanner. Although the team was not quite so successful during the previous part of the season, the skills of the team members are "developing", Coach Rod's sophisticated defence is beginning to click, and the team is looking forward to the spring schedule. New recruits are most welcome. No experience is necessary; (this will quickly become apparent). Watch blackboard outside of Moot Court in January.

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LAW FACULTY

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PEEL

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BREAKFAST SPECIAL 7:30 - 11:00

walkout a success

Last Friday was an important day for the students of this University and particularly this Faculty. Despite abominable weather conditions we managed to gather a respectable number of students (700 the CBC estimated at one point) to make a very noticeable appearance outside the Hydro building on Dorchester Street. This was a remarkable showing for a student body that for almost a decade has disgusted itself by its own apathy.

Because of only half-hearted (at best) participation from other schools, the march began and remained a McGill event. We don't have to worry about that: the point was made. Let no one think the lack of participation by other schools indicates they are equivocal in their support for our protest. There are too many other factors which account for the poor turnout. The anger we expressed last Friday was real, and there is no reason to think it is not shared by the students of the other schools.

What we showed the government is far less important than what we showed ourselves and our fellow students. We can do it. And there are probably few who marched with us on Friday who will not do it again when the time comes.

McGill students can be proud to have carried off this demonstra-

tion, and Law students can be proud to have led it. Without our support in numbers, and motivation in leadership, it could have been a dismal failure.

Not the least important of the day's activities were the speeches given by Dean Brierly and Mr. Renshaw in the morning. Despite, as one student put it, a pathetic turnout, an important message was delivered to those with ears to hear it. The Dean gave us the grim statistics frankly enough, but managed to sound fairly upbeat throughout: the University's commitment to the program, the fact that somewhere things are worse, attempts to mitigate the effects of cuts. But Mr. Renshaw described in no uncertain terms a library on the verge of serious decline.

Dean Brierly was, as usual, in a tough spot last Friday. He had to tell students enough to be credible, but not so much as to alarm. After all, a significant part of a Dean's job is public relations: he must at all costs maintain the confidence of students and staff, both actual and potential, in the viability of the Faculty.

But we must ask ourselves this: if the University finds it necessary to do real and permanent damage to our library, can the Faculty be far behind?

Peter Dauphinee

ON THE ART OF ADVOCACY

Briers wound
dig deeply
into flesh

That my tongue, should cut less.

RUFFLES

QUID NOVI is published weekly by the students of the Faculty of Law of McGill University. Opinions expressed are those of the author only. Contributions are published at the discretion of the editor and must indicate author or origin.

Staff: Peter Dauphinee, Lynn Bailey, Richard Janda, Martine Turcotte, Ron Lucciola, Gary Littlejohn, Paul Mayer, Celia Rhea.

Contributors: Daniel Gogek, Leslie Cameron.

LETTER

GRADUATING STUDENTS LOSE TAX PLANNING OPPORTUNITY

The reaction to Finance Minister Alan MacEachen's budget of Nov. 12, 1981 was predictable; the Toronto Stock Exchange fell over 80 points within two days resulting in millions of dollars of "paper losses" for unfortunate investors.

However, stock market investors are not the only losers. Investors in education, i.e. students, will also lose.

Prior to the budget, students who made it through school on a limited income, and otherwise suffered through endless hours in the classroom and library, were rewarded by substantial tax savings in their first year of working. Under the "general averaging" provision of subsection 1 of section 118 of the Federal Income Tax Act, a taxpayer whose net income in the first year of employment increases by 20 percent over the average net income of the previous four years, is entitled to average out the income earned during his first year of work with the income of the preceding four years thereby reducing his taxes considerably.

The federal budget will repeal the general averaging provision for the 1982 tax year and replace it with a new forward averaging system. The new mechanism will allow taxpayers with large income increases in a year to average these increases over future years when they expect to be in a lower tax bracket (hopefully this won't be our case).

On Nov. 17, 1981 MacEachen announced that he will amend the budget to permit investors to deduct "soft costs" (interest on loans, fees paid to accountants and lawyers) relating to the construction of Multiple Unit Residential Buildings (MURB). MacEachen has therefore shown that he is a flexible and reasonable man. Let's hope that he will find the courage to make further amendments to the budget.

Chris Koressis LLB IV

COMMON LAW

STUDY GUIDE

Joanie Vance, V.P. Common Law has requested that the following study guide be provided for first year common law students:

You start with a king in 1066
 Conquers England to get his kicks
 It's just too bad if you don't agree -
 You can just start swimming a one-two-three.
 Pristine feudalism sets the stage
 For the growth of good old patronage
 Getting in on every angle
 Good William sets up the feudal triangle
 No more ownership - look around
 Now you hold land of the Crown
 Pay homage, swear fealty on your sword
 And you can be an overlord
 Things going fine, then for no good reason
 He comes up with the idea of seisin
 Poor little boys with sore little heads
 Watch livery of seisin to earn their bread
 Frankalmoin, grand sergeantry
 And socage all had certainty
 Just as things get out of hand
 Quia Emptores saves the land
 Forget it if tenure's where you're leaning
 The notion of estate gives property meaning
 Don't just hold land, hold it over time
 Try to keep it in the family line
 Fee tail, fee simple, life estate
 Vest in possession before its too late
 Life estate pur autre vie
 Hope he lives as long as me
 Fixtures, heirlooms - just stay cool
 And don't trip over Shelley's rule
 Executory interests and other abuses
 Lead right into the Statute of Uses
 Pass first term if you're not lazy
 Then perpetuities drives you crazy
 One last word from this old sage -
 Don't forget the second page.

Torts, torts - got all sorts
 Weaver v. Ward sets the scene
 Don't have intent, don't be negligent
 And you can kiss off liability
 Scott v. Shephard brings between us
 Novus Actus Interveniens
 In Letang v. Cooper the weather's hot
 But don't suntan in the parking lot
 McNaughton rules don't excuse the facts
 So better take Mrs. Tyndale's axe
 Don't go hunting, don't play golf
 And get that arrow from little Ralph
 If you can carry out your threat
 Assault and battery's what you'll get
 You might think you've done nothing-
 But it's intent to inflict mental suffering
 If you're Armstrong Funeral Home

Just leave those dead bodies alone
 And once you've paid to get inside
 You'd better take that ferry ride
 Be careful not to take a fall
 When you get locked in a toilet stall
 Try not to be too obnoxious
 While your neighbour's mating foxes
 If you're in a new situation
 Invent the tort of discrimination
 Just as you understand intent
 They hit you with what's negligent
 And if you think your life is bland
 Just take a look at the reasonable man
 Side by side, two bumps on a log
 The reasonable man and his reasonable dog
 Just remember for good old Magot's sake
 Don't go off with your tort half-baked.

You may think contracts is boring
 But you'll never hear a classmate snoring
 Contracts sounds just heaven-sent
 When spoken with a British accent
 To keep the other class in line
 The Australian accent is divine
 The first thing that a student learns
 Is call the right fire brigade when you barn burns
 When raising horses, cows or goats
 Be sure to specify old oats
 When it seems an offer can't be beat
 For sure it's just an invitation to treat
 To accept an offer its much better
 If you don't forget to post your letter
 An offer to the world is good to all
 Just give me a hit off that old smokeball
 Unilateral offers are no joke
 Till you've almost crossed the bridge and he yells
 "I revoke"
 Identical cross offers are for the faint-hearted
 Will you marry me (will you marry me)-
 You're back where you started
 Before a contract can be born
 You must give the nice man a peppercorn
 A king can lose his entire nation
 If he doesn't provide consideration
 Foakes v. Beer - now there was a honey
 Have you ever wondered why he owed her money?
 We watched High Tree's bargain topple
 When Denning invented promissory estoppel
 And beware of Denning's proclivity
 To try to circumvent privity
 Expect contractual abuse
 When they let the stevedores on the loose
 I'd like to end this short recital
 With an offer to sell my copy of Treitel.

LUS TREASURER

In accordance with my policy of full and regular disclosure of all financial transactions, here is a second set of financial statements covering the six months ending October 30, 1981.

The first installment of student fees (approximately \$3,000) was not received until the beginning of November. This explains the discrepancy between cash receipts and disbursements. The LUS Executive is still evaluating potential uses for our term deposit. Your suggestions are welcome.

Please feel free to contact me if you have any inquiries. Just leave a note in my box in the LUS office.

(Continued from page 1)

limited discretion in that matter as salaries are fixed in central campus-wide negotiations, with some possibility for professional faculties to make "special arrangements". In any case although the trend in recent years has been to decrease the number of part time lecturers in favour of full time staff, budget cuts may cause this to reverse.

Cuts will also effect non-academic staff. The result will be that administrative services will be slower and more infrequent.

The actual size of next year's budget cut is not yet known for two reasons. First, the enrollment figures, upon which grants depend are not yet final. Second, intensive discussions are going on between Deans of faculties and the University administration as the Budgetary Planning Group - the Principal and Vice-Principals - attempt to understand the problems of each faculty. The preliminary figure for the Law Faculty is a cut 7.4%, or \$138,000, but the Dean seemed to feel the final cut would not be so deep.

What was possibly the worst news Dean Brierly had for students was not news at all: tuition fees will probably rise. Fees are presently "very modest" and although it is



ASSOCIATION DES ÉTUDIANTS EN DROIT
UNIVERSITÉ MCGILL

LAW UNDERGRADUATE SOCIETY
MCGILL UNIVERSITY

STATEMENT OF CASH RECEIPTS AND DISBURSEMENTS
FOR THE 6 (SIX) MONTHS ENDING
OCTOBER 30, 1981

RECEIPTS

Cafeteria Income	\$ 500.00	
Interest Income	898.78	
Social Activities	1,232.11	
Miscellaneous Income	281.40	\$2,912.29

DISBURSEMENTS

Deposit for 1982		
Banquet	\$ 200.00	
Social Activities	1,262.15	
Class Fund		
(Nov. 5th Party)	140.00	
Quid Novi	629.39	
Xerox	393.92	
Office Supplies	265.67	
Telephone	268.62	
Special Events		
(Hot Dogs and Beer Party)	178.07	
International Law Society	200.00	
Faculty Sports	359.47	
Speakers Program	50.00	
Miscellaneous Expenses		
(incl. paint and furniture)	778.83	4,726.12

EXCESS OF DISBURSEMENTS OVER RECEIPTS

\$1,813.83

3644 rue PEEL St., MONTREAL, QUEBEC, H3A 1W9 TELEPHONE 392-5121

not clear any increase would go to the universities, McGill and the others think fees should rise on the principle that if the government can't pay, the user should pay. The Dean's "informed guess" is that there will be some increase, in which case the Faculty will have to search for more scholarship money and funds for loans.

Brierly saved a few relatively optimistic remarks for the end of his speech. For one thing, it is not McGill which is being

discriminated against by the government, but rather the whole sector of education. Furthermore, the phenomenon is not linked to Québec but extends to the whole western world. Indeed, Brierly reported, conversations last year with the Director of the London School of Economics revealed that "problems at McGill pale beside the problems currently being faced by the L.S.E."

Historically, Law is one of the faculties which is "underfunded" in the sense that it receives only 3/



ASSOCIATION DES ÉTUDIANTS EN DROIT
UNIVERSITÉ MCGILL

LAW UNDERGRADUATE SOCIETY
MCGILL UNIVERSITY

BALANCE SHEET
AS AT OCTOBER 30, 1981

ASSETS

Bank Accounts		
Bank of Montreal - Chequing	\$1,066.19	
Bank of Montreal - Savings	<u>1,516.71</u>	\$2,582.90
Term Deposit (Bank of Montreal)		6,000.00
Loans to Societies		
Women and the Law	\$ 300.00	
Sports Committee	67.64	
Bookstore	<u>145.00</u>	512.64
Inventory (Beer and Wine)		207.39
		<u>\$9,302.93</u>

NET WORTH

Balance as at April 30, 1981	\$10,226.49
Add: Adjustments for Prior Year	890.27
	<u>\$11,116.76</u>
Deduct: Excess of Disbursements Over Receipts for the period between May 1st and October 30, 1981	<u>1,813.83</u>
	<u>\$ 9,302.93</u>

Jacques A. Nadeau
Jacques A. Nadeau
LUS Treasurer

3844 rue PEEL St. MONTREAL, QUEBEC, H3A 1W9 TELEPHONE 392-5121

ON THE PATH OF THE LAW

-to be-
happening or not happening

On the way but in the way

yes-no saying
to
lonliness and communion
in twain

while ever so imperceptibly

Erebos with Night wind their way
past Hades to Light

RUFFLES

flexibility to increase hours for moots and examinations. (They will, however, be increased for exams). Already, the opening hour has moved from 8:30 to 9:00, and last summer there was no service on Fridays.

Much more serious is the effect on the ability to buy books. The problem is especially acute in professional faculty libraries where a large proportion of expenditures goes to serials, which involve not a one shot purchase, but an ongoing financial commitment. Difficulties are sharpened by a 12% rate of inflation and the need to buy many foreign periodicals with a falling Canadian dollar. In the last 2 years, 87 subscriptions have been cut — none essential, none concerning Canadian law, but important nonetheless.

The effects of such cuts are not immediately apparent unless you need a subscription which has been cut, or want to use the library at 8:30 a.m.; but over the long term they build up. Everyone is ultimately affected.

Renshaw closed by noting that you need an excellent library to be a great law school. "Damage to humans is transitory, although unfortunate, because they are mortal; damage to a book collection is permanent and irreparable."

of what the government grants the university for each student enrolled. "We don't get our share of the pie." The reason is that Law requires no particular equipment to carry out its teaching and research functions. Brierly hinted this may change as the policy is being "tested" by Deans.

Brierly's final words were to reaffirm the University's commitment to a healthy faculty of law. Vast improvements have been made to the program in the last two decades and there is no question of dis-

mantling any part of the structure, or reducing admissions.

Mr. Renshaw, the Faculty Librarian, painted a more distressing picture of the effect of cutbacks on the library. Alumni support is strong: \$11,000 last year. But "spending is at \$160,000 and going up, the budget is at \$130,000 and approaching \$120,000".

Cutting will affect staffing and ability to buy books. The result of the reduced staffing will be reduced services, including less

(Continued from page 1)

should be re-evaluated and the necessary exams administered by the University.

M. Desgagné emphasized that greater collaboration between the Bar, Ministry of Education and the Universities was essential in the training of lawyers and that the Bar abdicated that responsibility by using Bar School as a supplement for any deficiencies in the present educational program rather than co-operating in the educational process. The President was asked whether all the interested parties were consulted in the preparation of the Avis to discuss any redundancies in the material covered in Bar School, and the differences in emphasis and approach between the various Law faculties. The President replied that the Bar had completed a questionnaire the results of which testified that Bar School was simply a synthesis of material covered in the basic education, and that the Office would be holding further hearings on the subject in March.

Ted Claxton pointed out that Bar School was originally conceived to ensure a common body of knowledge and skills among those entering the profession and to create a standard by which all students could be judged. M. Claxton asked how, under the system foreseen by the Office, that bare uniformity could be assured. M. Michaelidis who accompanied M. Desgagné said that he did not wish to impose conformity upon the educational system, that faculty autonomy was to be preserved, but that the goal of the Avis was to assure the level of competence of those entering the profession. Within the guidelines established, each faculty would be at liberty to pursue the standards by way of its own approach.

Competence, co-operation...and efficiency. M. Desgagné did not address the question of financed efficiency - whether the fourth year would be re-assigned to the Universities with a corresponding transfer of funds, or whether the required material would be integrated into the present three-year system.

M. Michel Brunet, Director of the Direction des programmes D'enseignement et de la recherche au niveau universitaire of the Ministry of Education picked up the previous speakers' theme of university autonomy. M. Brunet claimed that, despite the fact that the Universities are 80% to 90% financed by the Government, the Government placed great importance on University autonomy. This was to be evidenced from the fact that the Conseil des Universités which advises the Minister is largely composed of University appointees, and by the fact that the only Provincial law governing Universities in Quebec was "La Loi du Financement des Universités". According to M. Brunet, the Avis was ordered in response to the Ministry's request for a clear delimitation of the respective responsibilities of the Universities and the professional corporations in the education of professionals because, since 1976, the Ministry has not been able to establish any criteria for the disposition of funds for professional schools. He also said that if the Ministry and the professional corporations were influences on the education of professionals, then employers were certainly another. He spoke of professional schools having to respond to the 'inflationary thrust' by employers to adjust the level of basic training. According to M. Brunet, the conflict between these interests is not necessarily irreconcilable, and that the Avis represents a possible 'modus vivendi' among the parties - a system of checks and balances.

Campbell Stuart confronted M. Brunet with the Repatriation v. Re-integration of Fourth year issue. He asked whether, in the event that the latter was adopted to save money, the Bar would not be in a position to dictate certain curriculum requirements to the Law faculties. Stuart said there must be some negotiation to ensure that this would not happen. M. Brunet did not commit himself to either alternative, saying that the Ministry would have to compute the exact cost of a fourth year. Further, he said the Ministry could not guarantee that any additional funds transferred to the Universities for that purpose would actually be allocated by the

University itself to the Law Faculty since the budget is transferred as a lump sum. When asked to what degree was there an economic motive behind the Avis, M. Brunet replied that the Government could not dictate the precise terms of a professional's training - it could only seek to establish criteria of "efficiency" within certain time limits.

The last word came from a member of the audience. The student noted that most of the questions came from only a few people and were more pointed attacks than queries. He, for one, strongly supported the Avis which would liberate students from the system presently imposed by the Bar. His comment met with great applause.

And so according to its advocates, the Avis represents a plan for efficient education producing competent professionals by means of co-operative effort between the Bar, the Ministry of Education and the Universities within the marketplace. And for the autonomy of individual Law faculties within this scheme - a re-birth, marriage or funeral? Perhaps this will become clear at the hearings in March. Marek Nitoslowski said later that the ad hoc Committee which is preparing a position paper on the Avis is on its way to hammering out a position for McGill law students.

ASSOCIATE DEANS'S OFFICE

NOTICE

Professor Nick Bala of Queen's University, who will be giving Family Law IA next term will be available in the Faculty on the afternoon of December 4th to meet with students interested in this course.

Professor Bala is also interested in supervising 4th or 6th Term Essays in the area of Family Law and is prepared to meet with students who may wish to pursue this option.

Further information on the above matters may be obtained from the Associate Dean's Office.